

RECORD OF THE SUBSTANCE OF THE INTERVIEW

Applicants appointed representatives, attorney Randy L. Canis and employee of assignee Christopher E. Chupp, to meet with the Examiner on Wednesday, December 15, 2004.

Applicants representatives met with Examiner Saltarelli and Primary Examiner Grant at 2 p.m. on the aforementioned date for approximately fifty minutes.

Applicants representatives, Examiner Saltarelli and Primary Examiner Grant discussed the independent claims of the previously submitted Amendment C in view of the art previously cited by the Examiner and Applicants' willingness to submit a further amendment to further clarify the scope of the claims. Such amendment clarifying the scope of the claims is submitted herein.

This record is believed to be within compliance of MPEP §713.04 and 37 CFR §1.133. Applicants encourage the Examiner to contact the undersigned attorney if this record needs to be modified or further supplemented.

REMARKS

The claims currently pending in the application are claims 76-87, 98, 99, 104, 108, 110, 114, 115, 118, 123, 125-128. Claims 71-74, 97, 102, 103, 107, 113, 117, 121, 122, 124 are cancelled pursuant to the present Amendment D. Claims 125-128 have been added pursuant to the present Amendment D.

The Examiner rejected independent claim 76 over *Von Kohorn*, independent claim 81 over *Nemirofsky* in view of *Walker*, and independent claims 98 over *Nemirofsky* in view of *Boggs*.

With respect to independent claims 76 and 98, applicants have amended the claims to include the further limitation that the preprogrammed data is nonrewritable and embedded within the circuitry. The Applicants have also amended independent claim 81 to include the further limitations that the plurality of lights are in a sequenced array and that the successive reward data criteria requires that a user of the hand-held device capture the auxiliary data at time scheduled by a sponsor during the single video program or program series. None of the references cited by the Examiner show that the preprogrammed data is nonrewritable and embedded within the circuitry, the plurality of lights are in a sequenced array and that the successive reward data criteria requires that a user of the hand-held device capture the auxiliary data at time scheduled by a sponsor during the single video program or program series. Accordingly, all of the independent claims that are still pending pursuant to this Amendment but were rejected in the Examiner's previous Office Action contain structural and functional limitations not taught or suggested in the art cited by the Examiner.

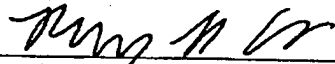
Based on the foregoing, allowance of claims 76-87, 98, 99, 104, 108, 110, 114, 115, 118, 123, 125-128 is solicited. Applicants aver that no new matter is being introduced by virtue of the amendment to the claims and that proper antecedent basis is provided in the specification for these claims. Should there be any remaining informalities or issues, it is submitted that this may be handled by Examiner's Amendment or that the Examiner should accordingly initiate a telephone conference with the Applicants' undersigned attorney Randy L. Canis. Applicants are prepared to cooperate as fully as possible to advance the prosecution of this case to allowance.

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Respectfully submitted,

12/17/2004
Date


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Attachment: Certificate of Fax Transmittal

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